

STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

On this the 19th day of July, 2010 the City Council of the City of Aransas Pass convened in a Regular Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT:	Tommy Knight,	Mayor
	Vickie Abrego,	Mayor Pro Tempore
	Jay Attaway	Council Member
	Ross McElwee	Council Member
	Phillip Hyatt	Council Member

ABSENT:

ADMINISTRATIVE PERSONNEL PRESENT:	Reggie Winters,	City Manager
	Allen Lawrence,	City Attorney
	Yvonne Stonebraker	City Secretary

ADMINISTRATIVE
PERSONNEL ABSENT:

STAFF PRESENT:	Rick Kilgore	Fire Chief
	Earl Buckmaster	Harbormaster

OTHERS PRESENT: Michael Cary/Progress, Jim & Alpha Covington, Sandy Kubek, Donald & Jeanie Brummett, Marilyn Rimer/ Herald, Rosemary Vega/Chamber of Commerce, Kris Spears, Capt. Tom & Linda Doran, Ellie Block, Phil & Nell Reynolds, Randy & Jeanne Hunter.

There may have been others present who did not sign in.

1. CALL MEETING TO ORDER.

Mayor Knight called the meeting to order at 7:00 p.m. on July 19, 2010.

2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.

Mayor Pro Tem Abrego gave the invocation. Mayor Knight led the Pledge of Allegiance to the United States flag.

3. CONSENT AGENDA: *"All of the following items on the Consent Agenda are considered to be routine by the City Council and will be enacted with one motion. There will be no separate*

discussion of these items unless a Councilmember so requests. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately”.

Mayor Knight removed the items from the consent agenda and the Council Members acted on them separately.

A. **CONSIDER AND ACT ON APPROVING THE MINUTES OF JULY 6, 2010.**

Council Member Attaway made a motion to approve the minutes of July 6, 2010. Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

B. **CONSIDER AND ACT ON ORDINANCE NO. 2010-3977 – AN ORDINANCE BY THE CITY OF ARANSAS PASS, TEXAS, GRANTING A CONDITIONAL USE PERMIT TO JUAN GALVAN TO OPERATE A BAR AT 157 S. COMMERCIAL STREET, BEING LOTS 13, 14, 15, AND 16, BLOCK 548, ARANSAS PASS, TEXAS, SUBJECT TO CONDITIONS.**

Council Member Attaway made a motion to table Ordinance No. 2010-3977 until the hours of operation could be researched. Council Member Hyatt seconded the motion and the motion carried unanimously.

C. **CONSIDER AND ACT ON ORDINANCE NO. 2010-3978 – AN ORDINANCE OF THE CITY OF ARANSAS PASS, TEXAS GRANTING A CONDITIONAL USE PERMIT TO BENNY SHAW TO OPERATE A TATTOO SHOP AT 104 W. WHEELER STREET, BEING LOTS 17 AND 18, BLOCK 515, 0.241 ACRES, ARANSAS PASS, TEXAS SUBJECT TO CONDITIONS SET FORTH.**

Council Member Attaway made a motion to approve Ordinance No. 2010-3978 – An Ordinance of the City of Aransas Pass, Texas granting a Conditional Use Permit to Benny Shaw to operate a tattoo shop at 104 W. Wheeler Street, being Lots 17 and 18, Block 515, Aransas Pass, Texas subject to conditions. Mayor Pro Tem Attaway seconded the motion and the motion carried unanimously.

Item 4 was tabled at the July 6, 2010 Council meeting and must be untabled before consideration.

4. **CONSIDER AND ACT ON RE-APPOINTING 4 MEMBERS AND APPOINTING 1 NEW MEMBER TO THE ARANSAS PASS MUNICIPAL DEVELOPMENT DISTRICT BOARD.**

Council Member Attaway made a motion to untable Agenda Item 4. Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

Mayor Pro Tem Abrego made a motion to re-appoint James Covington, Mary Ann Heimann, Randall Freeze and Nancy Davis and to appoint Kris Spears to the Aransas Pass Municipal Development District. The motion died due to the lack of a second.

Council Member McElwee made a motion to re-appoint James Covington, Mary Ann Heimann and Nancy Davis and to appoint Kris Spears and Stephen Walls to the Aransas Pass Municipal Development District. Council Member Attaway seconded the motion and the motion carried with Mayor Pro Tem Abrego voting no.

5. **CONSIDER AND ACT ON AMENDING CAPTAIN TOM E. DORAN'S HARBOR LEASE NO. 2010-003 TO ALLOW FOR 9 PILINGS TO BE INSTALLED NO MORE THAN 30 FEET FROM**

THE DOCK AND TO ALLOW FOR THE SUBLEASE OF MOORING CREATED BY THE PILINGS.

Mayor Knight stated he understood that Capt. Doran wanted to install pilings so boats would be able to back up and dock over night for a rental fee and he would not be sub-leasing.

Capt. Doran stated that was correct.

Mayor Knight stated in the history of the harbor, businesses who had dock space would allow vessels to dock for a rental fee. He stated Dave Sullivan with Naismith Engineering stated as long as Capt. Doran did not exceed 80 feet from the bulkhead, there wouldn't be any problems with the Army Corp of Engineers. Mayor Knight stated the City reimburses Capt. Doran money up to his lease payment for repairs and improvements and it would be up to the Council to agree if the pilings are considered an improvement and should Capt. Doran be reimbursed.

Council Member Attaway stated the pilings should be considered an improvement and when Capt. Doran returns the property back to the City, the pilings would become the City's property.

City Attorney Allen Lawrence stated if Capt. Doran is renting his own dock space, there is no need to amend his harbor lease.

Council Member Attaway made a motion to allow Capt. Tom Doran, Harbor Lease No. 2010-003, to install 9 pilings in accordance to the Army Corp of Engineers rules and regulations and must follow the schematic submitted to the City Council and could be reimbursed up to his harbor lease payment. Council Member Hyatt seconded the motion and the motion carried with Mayor Pro Tem Abrego voting no.

6. REVIEW AND DISCUSS BUDGET REPORTS AND PRELIMINARY BUDGET CALENDAR.

City Manager Winters stated sales tax was still down by 6% and the Department Heads were staying within their budgets.

City Manager Winters and the Council went over the preliminary budget calendar.

7. CITIZENS COMMENTS.

There were none.

8. ADJOURNMENT OF MEETING.

Council Member Attaway made a motion to adjourn the meeting. Council Member McElwee seconded the motion and the motion carried unanimously.

Mayor Knight adjourned the meeting at 7:25 P.M.

Tommy Knight, Mayor

ATTEST:

Yvonne Stonebraker, City Secretary